

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID J. CATANZARO,)	
)	
Plaintiff,)	
)	Case No. 3:22-cv-1768-MEM
v.)	
)	
SPINN, INC.,)	
)	
)	
Defendant.)	

**FOURTH JOINT MOTION TO EXTEND TIME FOR DEFENDANTS WALMART
STORES, INC. AND WALMART.COM TO RESPOND TO PLAINTIFF’S COMPLAINT**

Plaintiff David J. Catanzaro (“Plaintiff”) and Defendants Walmart Stores, Inc. and Walmart.com (collectively, “Walmart”), by and through their undersigned counsel, respectfully request an Order permitting Defendant to file an answer or other pleading in response to the Third Amended Complaint in this matter by November 30, 2023. In support of this Motion, the parties jointly state as follows:

1. The parties have agreed to permit an additional extension of time for Walmart to answer, move, or otherwise respond to Plaintiff’s Third Amended Complaint, which was filed on or about November 21, 2022 and served on June 15, 2023, may be extended to November 30, 2023.
2. Good cause exists for the agreed upon extension as it will provide additional time for the parties to both discuss a potential resolution of the case and further investigate the Third Amended Complaint.
3. The parties agree that this Motion and/or the resultant extension does not constitute a waiver of any claim, right, or defense.

4. In accordance with M.D. Pa. R. 7.1, Plaintiff certifies that he has expressed concurrence with the relief requested and permits this Motion to be filed jointly.

5. A proposed Order is submitted herewith for the Court's consideration.

Wherefore, it is respectfully requested that this honorable Court grant the Joint Motion of Plaintiff and Walmart to permit Walmart to answer or otherwise plead in response to Plaintiff's Third Amended Complaint on or before November 30, 2023.

Respectfully submitted,

Dated: October 27, 2023

Dated: October 27, 2023

By: /s/ David J. Catanzaro

By: /s/ Stephen H. Barrett

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Plaintiff, pro se

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*Attorney for Defendants Walmart Stores, Inc.
and Walmart.com*

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of October, 2023, a copy of the foregoing was filed with the Court electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. Additionally, a copy of this filing was served on David J. Catanzaro via US Mail and electronic mail.

Dated: October 27, 2023

By: /s/ Stephen H. Barrett
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*Attorney for Defendants Walmart Stores,
Inc. and Walmart.com*

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SPINN, INC.,)	
)	
)	
Defendant.)	

[PROPOSED] ORDER

AND NOW, on this ____ day of October, 2023, it is hereby ORDERED that Defendants Walmart Stores, Inc. and Walmart.com shall answer, move or otherwise respond to the Complaint in this matter on or before November 30, 2023.

Hon. Malachy E. Mannion